

**MORRISON & FOERSTER LLP**

Attorneys at Law  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5600  
Facsimile: (650) 494-0792

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Examiner A. Farah U.S. Patent and Trademark Office	703-872-9306	571-272-4765

FROM: Mika Mayer

DATE: November 29, 2004

Number of pages with cover page:	13
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**Comments:**

**COURTESY COPY OF RESPONSE FILED VIA EXPRESS MAIL ON NOVEMBER 18, 2004**

Re: U.S. Patent Application No. 10/669,204

Filing Date: September 23, 2003

Inventor(s): Russell A. HOUSER et al.

Examiner: A. Farah

Art Unit: 3739

Title: APPARATUS AND METHODS FOR TREATING TISSUE

Attorney Docket No.: 509192000201

Dear Examiner Farah:

Enclosed please find a courtesy copy of the response filed on November 18, 2004 via Express Mail for the above-identified patent application. Included is a copy of the U.S. Postal receipt and Express Mail Label.

Please acknowledge receipt via return facsimile



Atty Docket No.: 509192000201  
Inventor: Russell A. Houser et al.  
Application No.: 10/669,204  
Filing Date: September 23, 2003  
Title: APPARATUS AND METHODS FOR TREATING TISSUE

Documents Filed:

Transmittal - 1 page

Fee Transmittal + duplicate copy for fee processing - 2 pages

Amendment - 6 pages

Three Month Request for Extension of Time Under 37 CFR 1.136(e) - 1 page

Via: Express Mail: Airtel No. EV 537016634 US  
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Date: November 18, 2004

pa-936594

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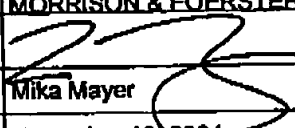
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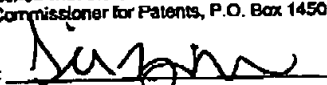
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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	10/669,204
		Filing Date	September 23, 2003
		First Named Inventor	Russell A. HOUSER
		Art Unit	3739
		Examiner Name	A. Farah
Total Number of Pages in This Submission	10	Attorney Docket Number	509192000201

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form + duplicate copy for fee processing - 2 pages <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply - 6 pages <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request - 1 page <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature			
Printed name	Mika Mayer		
Date	November 18, 2004	Reg. No.	47,777

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Dated: November 18, 2004

Signature:

(Tia B. Zimmerman)

Docket No.: 509192000201  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Russell A. HOUSER et al.

Application No.: 10/669,204

Art Unit: 3739

Filed: September 23, 2003

Examiner: A. Farah

For: APPARATUS AND METHODS FOR  
TREATING TISSUE

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated May 18, 2004, for which a response was due on August 18, 2004. Filed herewith is a Petition and fee for a three month (3-month) extension of time, thereby extending the deadline for response up to and including November 18, 2004. Accordingly, this response is timely filed. Amendments to the claims are reflected in the Listing of Claims, which begins on page 2. The remarks begin on page 4. Reconsideration and allowance of the pending claims, in light of the amendments and remarks presented herein is respectfully requested.

pa-890737